

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

ROBERT MOORE, III,

Petitioner,

v.

WARDEN LAUSHAUNN
EPPINGER,

Respondent.

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CASE NO. 1:18-cv-01837

OPINION & ORDER
[Resolving Doc. [1](#)]

JAMES S. GWIN, UNITED STATES DISTRICT COURT JUDGE:

Petitioner Robert Moore, III seeks a writ of habeas corpus under 28 U.S.C. § 2254.

Under Local Rule 72.2(b), this case was automatically referred to a Magistrate Judge for a Report and Recommendation.¹ On January 13, 2020 Magistrate Judge Thomas M. Parker issued a Report and Recommendation, recommending this Court deny Moore's habeas petition.² The parties had until January 27, 2020 to object to the Report and Recommendation.³ Neither party objected.

Because neither party objected, the Court could adopt the Report and Recommendation without review.⁴ Still, the Court reviewed the Report and Recommendation and agrees with Magistrate Judge Parker that Moore's habeas petition is timed-barred under 28 U.S.C. 2244(d)(1).

¹ [Local Rule 72.2\(b\)](#).

² Doc. [14](#).

³ [28 U.S.C. § 636\(b\)\(1\)](#); [Local Rule 72.3\(b\)](#).

⁴ *See* [28 U.S.C. § 636\(b\)\(1\)](#); [Thomas v. Arn](#), 474 U.S. 140, 149–53 (1985); [U.S. v. Walters](#), 638 F.2d 947, 949–50 (6th Cir. 1981).

Case No. 1:19-cv-02456
GWIN, J.

Consequently, the Court **ADOPTS** Magistrate Judge Parker's Report and Recommendation and **DENIES** Moore's habeas petition as time-barred.

IT IS SO ORDERED.

Dated: April 16, 2021

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE